

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
VS) INDICTMENT NO. 04-10260RCL
)
CARLOS A. HOWELL)
)
Defendant.)

**DEFENDANT CARLOS A. HOWELL'S MOTION TO CONTINUE
SENTENCING DATE**

The Defendant Carlos A. Howell (the "Defendant"), in the above-numbered Indictment and through Counsel, moves this Honorable Court to continue his sentencing date from its presently scheduled date of December 14, 2005.

In support of this motion the defendant states that counsel is presently scheduled to depart for Europe with his family earlier on the morning of October 14, 2005 and is not scheduled to return until after December 26, 2005. Subject to the Court's schedule and approval, defense counsel is available on January 25, 26, 27, 30 and 31 and will make every effort to change his schedule in other matters should these dates not coincide with the Court's convenience.

This matter is assented to by Probation.

Respectfully submitted,
CARLOS A. HOWELL,
Defendant,
By Counsel:

'/s/Walter H. Underhill, Esquire'
WALTER H. UNDERHILL
66 Long Wharf
Boston, Massachusetts 02109
(617) 523-5858

DATED: November 14, 2005

RULE 7.1 CERTIFICATION

The parties have not had an opportunity to confer on this motion, however, defense counsel has previously informed AUSA Rue of defense counsel's conflict and does not believe that the Government will have any objection to this motion under the circumstances.

SIGNED: '/s/Walter H. Underhill, Esquire'

DATE: November 14, 2005